

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

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(REV 10-95)

U. S. Department of Commerce Patent and Trademark Office

ATTORNEY'S DOCKET NUMBER

11/2-22989/INP 2/PCT

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/538893

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**INTERNATIONAL APPLICATION NO.  
EP 03/51008INTERNATIONAL FILING DATE  
December 15, 2003PRIORITY DATE CLAIMED  
December 20, 2002

TITLE OF INVENTION

**METHOD FOR FORMING FUNCTIONAL LAYERS**

APPLICANT(S) FOR DO/EO/US


**Martin Kunz, Michael Bauer and Andreas Baranyai**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39 (1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau. (**See attached Form PCT/IB/308**)
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English 35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☒ A copy of **form PCT/IB/306** for your convenience.

Items 11. to 16. below concern document(s) or information included.

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ **A FIRST preliminary amendment.**  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: (**See attached Form PCT/ISA/210**)

U.S. APPLICATION NO. (If known, see 37 CFR 1.51) <b>107938893</b>		INTERNATIONAL APPLICATION NO. <b>EP 03/51008</b>		ATTORNEY'S DOCKET NUMBER <b>11/2-22989/INP 2/PCT</b>	
17. <input checked="" type="checkbox"/> The following fees are submitted:					
Basic national fee.....				<b>\$300.00</b>	<b>\$300.00</b>
Examination fee. ....				<b>\$200.00</b>	<b>\$200.00</b>
Search Fee					
<input type="checkbox"/> If Search Fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....					
<input checked="" type="checkbox"/> If International Search Report was prepared and provided to the Office...				<b>\$400.00</b>	
<input type="checkbox"/> All other situations.....					
<b>TOTAL OF ABOVE CALCULATIONS=</b>				<b>\$900.00</b>	<b>\$900.00</b>
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50=		x <b>\$250.00</b>		\$
Surcharge of <b>\$130.00</b> for furnishing the oath of declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).					\$
CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE	
Total claims		<b>34</b> - 20 =	<b>14</b>	X <b>\$50.00</b>	<b>\$700.00</b>
Independent claims		<b>1</b> - 3 =	<b>0</b>	X <b>\$200.00</b>	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ <b>\$360.00</b>	\$
<b>TOTAL OF ABOVE CALCULATIONS =</b>					<b>\$1,600.00</b>
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					\$
<b>SUBTOTAL =</b>					<b>\$1,600.00</b>
Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					\$
<b>TOTAL NATIONAL FEE =</b>					<b>\$1,600.00</b>
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property					\$
<b>TOTAL FEES ENCLOSED =</b>					\$
					Amount to be refunded:
					Amount to be charged:
					<b>\$1,600.00</b>
a. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 03-1935 in the amount of <b>\$1,600.00</b> to cover the above fees. A duplicate copy of this sheet is enclosed.					
b. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1935. A duplicate copy of this sheet is enclosed.					
<b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b>					
SEND ALL CORRESPONDENCE TO:					
JoAnn Villamizar Patent Department 540 White Plains Road P.O. Box 2005 Tarrytown, NY 10591-9005					
 SIGNATURE  Shiela A. Loggins NAME  56,221 REGISTRATION NUMBER					

10/538893

JC17 Rec'd PCT/PTO 14 JUN 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**I, SALLY LESLEY HEDLEY, B.A., M.I.L., M.I.T.I., declare**

1. That I am a citizen of the United Kingdom of Great Britain and Northern Ireland, residing at 29 Parkholme Road, London E8 3AG.
2. That I am well acquainted with the German and English languages.
3. That the attached is a true translation into the English language of the Request and of the Specification as originally filed of International Patent Application No. PCT/EP2003/051008.
4. That all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardise the validity of the patent application in the United States of America or any patent issuing thereon.

DECLARED THIS 27<sup>th</sup> DAY OF MAY 2005

*Sally Hedley*

**SALLY HEDLEY**